

CAHILL GORDON & REINDEL LLP
32 OLD SLIP
NEW YORK, NY 10005

DANIEL AMATO
DANIEL R. ANDERSON
PETER J. ARMENIO
HELENE R. BANKS
ANIRUDH BANSAL
LANDIS C. BEST
CHRISTOPHER BEVAN
BROCKTON B. BOSSON
DONNA M. BRYAN
SARAH W. CHEN
EMEKA C. CHINWUBA
JAMES J. CLARK
CHRISTOPHER W. CLEMENT
ANDREW COCHRAN
LEWIS RINAUDO COHEN
AYANO K. CREED
SEAN M. DAVIS
STUART G. DOWNING
MICHAEL A. DVORAK
ADAM M. DWORKIN
ANASTASIA EFIMOVA

SAMSON A. ENZER
JAMES Z. FANG
GERALD J. FLATTMANN JR.
KIERSTEN A. FLETCHER
HELENA S. FRANCESCHI
JONATHAN J. FRANKEL
SESI GARIMELLA
ARIEL GOLDMAN
PATRICK GORDON
JASON M. HALL
STEPHEN HARPER
CRAIG M. HOROWITZ
TIMOTHY B. HOWELL
COLLEEN TRACY JAMES
DAVID G. JANUSZEWSKI
BRIAN S. KELLEHER
ANDREW R. KELLY
RICHARD KELLY
JOEL KURTZBERG
TED B. LACEY
ANDREW E. LEE

TELEPHONE: (212) 701-3000
WWW.CAHILL.COM

1990 K STREET, N.W.
WASHINGTON, DC 20006-1181
(202) 862-8900

221 W. 10th STREET, 3rd FLOOR
WILMINGTON, DE 19801
(302) 884-0000

CAHILL GORDON & REINDEL (UK) LLP
20 FENCHURCH STREET
LONDON EC3M 3BY
+44 (0) 20 7920 9800

WRITER'S DIRECT NUMBER

ALIZA R. LEVINE
JOEL H. LEVITIN
MARK LOFTUS
JOHN MacGREGOR
MICHAEL MAKHOTIN
TRISTAN E. MANLEY
BRIAN T. MARKLEY
MEGHAN N. McDERMOTT
EDWARD N. MOSS
JOEL MOSS
NOAH B. NEWITZ
EDWARD C. O'CALLAGHAN
JULIANA OBREGON
JAVIER ORTIZ
DAVID R. OWEN
JOHN PAPACHRISTOS
LUIS R. PENALVER
SHEILA C. RAMESH
MICHAEL W. REDDY
OLEG REZZY
THOMAS ROCHER *

NIKOLAS X. RODRIGUEZ
PETER J. ROONEY
MATTHEW E. ROSENTHAL
THORN ROSENTHAL
TAMMY L. ROY
ANDREW SCHWARTZ
DARREN SILVER
JOSIAH M. SLOTNICK
RICHARD A. STIEGLITZ JR.
GREGORY STRONG
SEAN R. TIERNEY
AMIT TREHAN
HERBERT S. WASHER
FRANK WEIGAND
MILES C. WILEY
PETER G. WILLIAMS
DAVID WISHENGRAD
C. ANTHONY WOLFE
ELIZABETH M. YAHL

* ADMITTED AS A SOLICITOR IN
ENGLAND AND WALES ONLY

(212) 701-3838

January 8, 2025

Re: *Frommer et al v. MoneyLion Technologies Inc.*, 23-cv-6339

Dear Judge Furman:

We write on behalf of MoneyLion in response to Sellers' letter from earlier today ([Dkt. 164](#)) regarding trial dates.

MoneyLion and its witnesses are prepared to proceed with the March 31, 2025 trial date ordered by the Court. (*See* [ECF No. 149](#).) We were not informed about Sellers' scheduling issues before they filed their letter, and we have been working for the last several hours to determine whether we can accommodate Sellers' proposal—*i.e.*, fact witnesses to testify from March 31 through April 7 and experts from April 22 through 25. MoneyLion's fact witnesses are available from March 31 through April 7, and MoneyLion has no objection (subject to the Court's approval, of course) to Sellers' proposal that expert witnesses testify during a later window. Unfortunately, however, MoneyLion's accounting expert Mr. Dudney has an arbitration during Sellers' proposed expert window and cannot testify on those days. We are working quickly to determine our experts' availability for alternate dates, which we will discuss with Sellers' counsel as soon as possible, in the hopes of promptly making a joint proposal for the Court's consideration with alternate dates for the expert window.

Respectfully submitted,

/s/ Edward N. Moss

Edward N. Moss

CAHILL GORDON & REINDEL LLP

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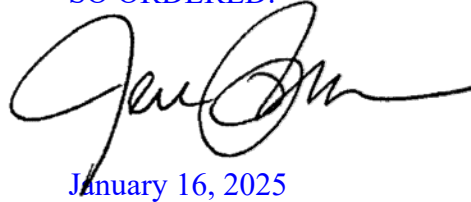
The Honorable Jesse M. Furman
United States District Judge
United States District Court for the Southern District of New York
40 Centre Street, Room 2202
New York, New York 10007

BY ECF

cc: Counsel of Record

No later than January 21, 2025, the parties shall file a joint letter updating the Court on any issues relating to the current trial date and schedule.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Jesse M. Furman", is written over the typed name and date.

January 16, 2025